

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA
MARTINSBURG DIVISION**

JESSICA B. BOWERS,

Plaintiff,

v.

**Civil Action No. 3:23-cv-119
Judge Frank Volk**

**JEFF S. SANDY, INDIVIDUALLY AND IN HIS
OFFICIAL CAPACITY AS THE FORMER CABINET
SECRETARY OF THE WEST VIRGINIA DEPARTMENT OF
HOMELAND SECURITY,
BETSY JIVIDEN, INDIVIDUALLY AND AS AN EMPLOYEE
OF THE WEST VIRGINIA DIVISION OF
CORRECTIONS AND REHABILITATION,
DIDYMUS TATE, INDIVIDUALLY, AND AS AN EMPLOYEE
OF THE WEST VIRGINIA DIVISION OF CORRECTIONS
AND REHABILITATION,
JOHN /JANE DOE, UNKNOWN EMPLOYEES
OR AGENTS OF THE ABOVE ENTITY,
IN THEIR INDIVIDUAL CAPACITIES, AND
AS EMPLOYEES OR AGENTS OF THE ABOVE ENTITIES,
PRIMECARE MEDICAL, INC., AND
PRIMECARE MEDICAL OF WEST VIRGINIA, INC.,**

Defendants.

NOTICE OF SETTLEMENT

Comes Now Plaintiff, Jessica Bowers, by counsel, Stephen P. New, and the law firm of Stephen New & Associates, and Christopher J. Heavens, and Heavens Law Firm, PLLC, and Defendants, PrimeCare Medical, Inc., and PrimeCare Medical of West Virginia, Inc. ("PrimeCare Defendants"), by counsel Mark R. Simonton, Alex S. Blevins, and the law firm of Offutt Simmons Simonton, and hereby notify this Honorable Court that the claims and controversies remaining against PrimeCare

Defendants in the above-captioned lawsuit have been resolved and settled. As a result thereof, Plaintiff and PrimeCare Defendants pray that this Honorable Court enter a Final Dismissal Order reflecting the dismissal of the claims and controversies with prejudice against PrimeCare Defendants to be submitted to this Court in the next sixty (60) days.

JESSICA BOWERS,

By Counsel:

/s/ **Stephen P. New**

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PRIMECARE DEFENDANTS,

By Counsel:

/s/ Mark R. Simonton, Esquire

Mark R. Simonton, Esquire (WV Bar #13049)

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PRIMECARE MEDICAL, INC., AND
PRIMECARE MEDICAL OF WEST VIRGINIA, INC.,

Defendants.

CERTIFICATE OF SERVICE

I, Mark R. Simonton, Esquire, counsel for PrimeCare Defendants, do hereby certify that I served a true and correct copy of the foregoing “**Notice of Settlement**” with the Clerk of the Court using the CM/ECF system, this **31st** day of **March, 2025**, which will service the following recipient(s):

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Didymus Tate, and John/Jane Doe
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/s/ **Mark R. Simonton**
Mark R. Simonton, Esquire (WV Bar #13049)